



PATENT  
Attorney Docket No. 053847-5002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Masami MASUKO	)	Confirmation No.: 4923
	)	
Application No.: 10/618,706	)	Group Art Unit: 1753
	)	
Filed: July 15, 2003	)	Examiner: Unassigned
	)	
For: WHETSTONE PELLET, WHETSTONE,	)	
PROCESSES FOR PRODUCING THEM,	)	
PROCESS FOR PRODUCING OPTICAL	)	
ELEMENT USING WHETSTONE, AND	)	
PROCESS FOR PRODUCING EXPOSURE)	)	
APPARATUS	)	

**Mail Stop Missing Parts**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed October 15, 2003.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

2. Declaration Or Oath

- ☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.
- ☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

- ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document.

4. Small Entity Status

- ☐ Small entity status under 37 C.F.R. § 1.27 is asserted for the present application.

5. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total months requested</u>	<u>Fee for extension</u>	<u>[fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$205.00
<input type="checkbox"/> three months	\$ 930.00	\$465.00
<input type="checkbox"/> four months	\$1,450.00	\$725.00
<input type="checkbox"/> five months	\$1,970.00	\$985.00

Extension of time fee due with this request: \$

- ☒ Applicant believes that no extension of time is required. However, in the event applicant has inadvertently overlooked the need for a petition and fee for extension of time, applicant hereby petitions for such an extension and requests that any fee therefor be charged to our Deposit Account No. 50-0310.

6. Assignment

- ☒ An assignment of the invention to NIKON CORPORATION and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

## 7. Fee Calculation

					Fee Code
Basic Fee				\$	1001/2001
	Number Filed	Number Extra	at a Rate of (Lg./Sm.Entity)		
Total Claims	19 - 20 =	0	\$18/\$9 each=	\$ 0.00	1202/2202
Independent Claims	6 - 7 =	0	\$86/\$43 each=	\$	1201/2201
Multiple dependent claim(s), if any			\$290/\$145	\$	1203/2203
SUB-TOTAL =				\$	
Late Filing Surcharge Fee (37 C.F.R. § 1.16(e))			\$130/\$65	\$130.00	1051/2051
Extension Fee (37 C.F.R. § 1.17(a)(1)-(5))		\$110/\$55 (1 Month)			1251/2251
		\$420/\$210 (2 Months)			1252/2252
		\$950/\$475 (3 Months)			1253/2253
		\$1480/\$740 (4 Months)			1254/2254
		\$2010/\$1005 (5 Months)		\$	1255/2255
SUB-TOTAL =				\$	
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(i) and § 1.52(d))			130.00	\$	1053
Assignment Recordation Fee			\$ 40.00	\$ 40.00	8021
TOTAL FILING FEE =				\$170.00	

## 8. Fee Payment

- ☐ Enclosed is a check in the amount of \$\_\_\_\_\_ representing the total fee due.
- ☒ The Commissioner is hereby authorized to charge **\$170.00** (\$130.00 for the late filing surcharge and \$40.00 for the Assignment Recordation fee due) to Deposit Account 50-0310.
- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

9. Additional papers enclosed.

- ☒ Preliminary Amendment
- ☒ Submission of Replacement Drawings with nine (9) sheets of drawings
- ☒ Claim for Priority
- ☒ Certified copy(ies) of priority document(s): 2
- ☒ Information Disclosure Statement
- ☒ Form PTO-1449, 10 references as listed
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Other:

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: Mary Jane Boswell  
Mary Jane Boswell  
Reg. No. 33,652

Date: November 4, 2003

**CUSTOMER NO. 09629**

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MJB/DEC/fdb



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**SUBMISSION OF REPLACEMENT DRAWINGS**

Sir:

Transmitted herewith are nine (9) sheets of replacement drawings to be substituted for the corresponding sheets filed in the above-identified application.

Respectfully submitted,  
  
MORGAN, LEWIS & BOCKIUS LLP

Dated: November 4, 2003

By: Mary Jane Boswell  
Mary Jane Boswell  
Reg. No. 33,652

Customer No. 009629  
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